

Message Text

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PAGE 01 CAIRO 16813 120023Z
ACTION EB-08

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 DODE-00
DOTE-00 FMC-01 INR-10 NSAE-00 CG-00 DLOS-09
OES-09 FRB-03 L-03 /054 W
-----095045 122223Z /62

R 111840Z JUL 78
FM AMEMBASSY CAIRO
TO SECSTATE WASHDC 1338
INFO AMEMBASSY ABU DHABI
AMCONSUL ALEXANDRIA
AMEMBASSY JIDDA
AMEMBASSY KUWAIT

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E.O. 11652: N/A
TAGS: ETRD, EG
SUBJ: BOYCOTT: LANGUAGE OF SHIPPING CLAUSE

REF: (A) JIDDA 1499, (B) STATE 103580

1. SUMMARY: ALTHOUGH EAA PROVISIONS RELATING TO LANGUAGE IN COMMERCIAL DOCUMENTS ARE NOW IN FULL EFFECT, GOE HAS NOT FINALLY DECIDED WHAT PHRASING TO PRESCRIBE AS STANDARD LANGUAGE FOR SHIPPING CLAUSE. IN VIEW APPARENT UNACCEPTABILITY OF "PERMITTED TO ENTER EGYPTIAN/ARAB PORTS" FORMULA, GOE OFFICIALS WOULD LIKE KNOW HOW OTHER ARAB STATES ARE DEALING WITH DOCUMENTARY LANGUAGE REQUIREMENTS OF EAA. END SUMMARY.

2. IN CONNECTION WITH JUNE 22 EFFECTIVE DATE FOR DOCUMENTARY LANGUAGE PROVISIONS OF EAA, EMBOFF MET RECENTLY WITH MINTRADE OFFICIALS CONCERNED WITH BOYCOTT MATTERS. OFFICIALS INDICATED GOE HAS NOT REACHED FINAL DECISION ON PRESCRIBED LANGUAGE FOR SHIPPING CLAUSE IN COMMERCIAL
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PAGE 02 CAIRO 16813 120023Z

DOCUMENTS. GOE OFFICIALS NOTED THAT WITH RESPECT, FOR EXAMPLE, TO LETTERS OF CREDIT ISSUED BY BANKS, UNACCEPTABLE LANGUAGE IS IN MANY INSTANCES BEING DELETED AT REQUEST OF ONE OF THE PARTIES TO THE TRANSACTION. THIS IS BEING DONE, HOWEVER, ON A CASE-BY-CASE BASIS.

3. AS PREVIOUSLY REPORTED, EGYPTIANS WISH TO INCLUDE IN

SHIPPING CLAUSE LANGUAGE REQUIRING THAT SHIP BE "PERMITTED TO ENTER EGYPTIAN PORTS." THIS PHRASE IS CURRENTLY BEING USED IN SOME LETTERS OF CREDIT. ON BASIS REF B, WE HAD EARLIER ADVISED EGYPTIANS THAT THIS FORMULA APPEARED BE UNACCEPTABLE UNDER U.S. LAW. IN DISCUSSION NOTED ABOVE, GOE OFFICIALS REPEATED THEIR DESIRE INCLUDE THIS PHRASE AND SAID THEY UNDERSTOOD FROM BOYCOTT OFFICE THAT IT IS BEING USED BY OTHER ARAB STATES.

4. GOE OFFICIALS REITERATED THEIR VIEW THAT DOCUMENTARY LANGUAGE INDICATING THAT SHIP CAN ENTER EGYPTIAN PORTS SEEMS PERFECTLY REASONABLE REQUIREMENT AND COULD BE IMPORTANT FOR REASONS UNRELATED TO BOYCOTT. THEY FIND IT SURPRISING THAT U.S. REGULATIONS FORBID INCLUSION OF SUCH PHRASE WHILE PERMITTING HARsher-SOUNDER LANGUAGE ABOUT SHIPS NOT BEING ISRAELI-OWNED OR NOT CALLING AT ISRAELI PORTS EN ROUTE. GOE OFFICIALS ASKED SPECIFICALLY IF EMBASSY COULD PROVIDE INFORMATION ABOUT ACTION TAKEN BY OTHER ARAB COUNTRIES IN LIGHT OF FACT THAT "PERMITTED TO ENTER EGYPTIAN/ARAB PORTS" PHRASE IS NOW APPARENTLY UNACCEPTABLE UNDER U.S. LAW. EMBOFF INDICATED WISH TO BE HELPFUL IN THIS REGARD, BUT RESPONDED NONCOMITALLY TO SPECIFIC REQUEST.

5. GUIDANCE AND ACTION REQUESTED:
WE WOULD FIND IT USEFUL TO HAVE FURTHER INFORMATION ON LIMITED OFFICIAL USE

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PAGE 03 CAIRO 16813 120023Z

LOCAL PRACTICE IN OTHER ARAB COUNTRIES WITH RESPECT TO LANGUAGE IN SHIPPING CLAUSE, NOW THAT EAA PROVISIONS ARE IN FULL EFFECT. WE RECOGNIZE SOME INFORMATION ON THIS SUBJECT HAS BEEN PROVIDED IN CABLES SENT DIRECTLY FROM OTHER POSTS, BUT DEPARTMENT SUMMARY OF CURRENT PRACTICES WOULD BE HELPFUL. WE WOULD ALSO APPRECIATE DEPARTMENT'S GUIDANCE ABOUT EXTENT TO WHICH INFORMATION PROVIDED ON THIS SUBJECT MAY APPROPRIATELY BE SHARED WITH GOE OFFICIALS. EILTS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RULES, MARINE TRANSPORTATION, BOYCOTTS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978CAIRO16813
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780286-0239
Format: TEL
From: CAIRO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780776/aaaachvk.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ca07cf77-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 JIDDA 1499, 78 STATE 103580
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2057146
Secure: OPEN
Status: NATIVE
Subject: BOYCOTT: LANGUAGE OF SHIPPING CLAUSE
TAGS: ETRD, EWWT, EG
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ca07cf77-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014